

We respectfully request the FCC grant our appeal and the COMAD be reversed since District did not violate any program requirements or equity would dictate program rule should be waived. The District is not responsible for any violations and relied to its detriment upon representations made by USAC, Sprint and MiCTA, therefore USAC should waive program rules and/or direct any recovery efforts against other third parties that are responsible for any violations. Grant any other relief FCC deems appropriate.

The USAC Commitment Adjustment Letter dated June 20, 2016, Funding Commitment Adjustment Report for Form 471 Application Number: 866245 states in part:

“After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. The billed entity(ies) in Block 4 of the FCC Form 471 were not listed in Block 4 of FCC Form 470#526520000796986 that established the competitive bidding process for the FCC Form 471. The applicant became a member of the MiCTA Consortium on 3/16/2012 which is after MiCTA 470 posting date of (1/4/2010). The billed entity is DOLTON SCHOOL DISTRICT 148 #135781. Program rules require that the billed entity filing a FCC Form 471 application also be identified on the establishing FCC Form 470 in order to ensure that potential bidders were aware of the scope of work being requested. Since this requirement was not met, this is a violation of the competitive bidding rules. The commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.”

“USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all of some of the funds disbursed in error (if any).”

FACTS

On March 13, 2012, Josh Howell the Sprint Account Manager – Public Section Higher Education and K-12 contacted the District and brought to the District’s attention to promote and discuss MiCTA and their enrollment process and if District became a MiCTA member it could qualify for erate services and utilize the MiCTA Form 470 and Master Services Agreement (MSA) and the District could file their own Form 471 and refer to the MiCTA Form 470. Later that day on March 13, 2012, the Josh Howell Sprint Account Manager sent an email to the District regarding MiCTA and provided explicit instruction on how the District should complete the MiCTA enrollment/membership process and associated Form 471 which said in part:

“I’ve attached several aids relating to MiCTA as well as the enrollment process below. The account team will be in touch in the coming days to discuss. The MiCTA Enrollment process is as follows: 1. Visit www.mictatech.org 2. Click on the “members” tab 3 Click “join MiCTA” 4. Complete on-line form 5. In the payment section, check the 1st year free option 6. Once complete, MiCTA will send new member a welcome letter with membership Number 7. Complete, sign and forward the attached MiCTA enrollment form to Sprint. Please advise of any questions and I look forward to speaking with you soon.” Additionally, attached to the Sprint email were two attachments including MiCTA Notebook and Tablet Pricing and MiCTA Entire MSA Enrollment Form (**Exhibit 2**).

MiCTA/Sprint provided additional information, including slides showing specific step by step instructions regarding what information to put on the Form 471 Block 5 in order to apply for services from Sprint by utilizing the MiCTA Form 470#526520000796986, Membership Enrollment Form and MSA (**Exhibit 3**).

MiCTA had stated that USAC representative said if a school is going to use the MiCTA Form 470 that they must be a member of MiCTA BEFORE they file their Form 471. Moreover, in attached affidavit of Gary Green of MiCTA, he stated “Over the years several USAC PIA reviewers have sent members names

to MiCTA to confirm that the particular school was a MiCTA member and when they joined. On several occasions it was found that a particular school was not a member before they filed their Form 471, and I was informed that they were therefore being denied.”(Exhibit 4)

The District properly filed their FY2012 Form 471 #866245 and followed the explicit instructions and slides provided by Sprint and MiCTA regarding MiCTA Membership and step by step process when completing the Form 471 Block 5 for Sprint FRN 2360749.

On June 13, 2012, the District received an inquiry from USAC’s Program Integrity Assurance (PIA) (Exhibit 5). In particular, all of the PIA questions were ONLY regarding the FRN 2360749 and the MiCTA Establishing Form 470#526520000796986 and related MiCTA Membership/Enrollment documentation. As per information requested and discussions with PIA, the District’s Response dated June 22, 2012, included the Sprint Quote, confirmation of utilization of the MiCTA Establishing Form 470#526520000796986, and MiCTA Member Participation Enrollment Form completed and signed by District on March 16, 2012, which was BEFORE the District FY2012 Form 471 was filed (Exhibit 6).

USAC issued a Funding Commitment Decision Letter (FCDL) for FY 2012 Form 471 866245 and in particular, funded FRN2360749 for the total amount requested. The SLP website states “All applications must complete both an Initial Review and a Final Review.” Therefore, PIA process for the FRN 2360749 underwent at least an Initial Review and a Final Review before deemed erate eligible and in compliance with erate program requirements and received a FCDL (Exhibit 7).

Once the District knew that the USAC review was completed and the FRN 2360749 received the FCDL, the District relied upon the FCDL issued by USAC and utilized the Sprint services it otherwise would not have been able to afford. If a FCDL had not been issued, the District would not have used or continued to use the Sprint services.

ARGUMENTS

The District followed all the erate rules and there was no negative impact on the fair and open competitive bidding process. Thousands of MiCTA members were covered under the MiCTA Form 470, it was competitively bid and the contract secured the most cost effective provider, and the vender scope was not adversely impacted by the District’s participation.

The District was of the understanding based on documentation and representations made by Sprint and MiCTA that so long as the district followed the instructions provided by Sprint and became a MiCTA member BEFORE the Form 471 was filed, it could utilize the MiCTA Form 470 on the District Form 471 and obtain erate eligible services from Sprint and all in compliance with erate program requirements.

USAC in 2012 during the PIA review process reviewed the specific FRN2360749, MiCTA Form 470#526520000796986 and associated documents, and MiCTA membership forms and issues referred to in the Notice of COMAD letter and thereafter, issued a Funding Commitment Decision Letter which funded the FRN in full. Additionally, the District relied upon information, instructions and slides from Sprint and MiCTA. The District did not have the funds for the services covered under the COMAD and if

the FRN had not passed the PIA review and been funded by USAC, the District would never have utilized the services.

USAC failed to consider which party was primarily responsible for the act or omission and any other culpability.

USAC is seeking funds from the District without having sufficiently determined that the service provider was primarily responsible for any impropriety, wrong doing or rule violation. The service provider is responsible for any rule violation and any funds disbursed, USAC therefore, should seek recovery of the funds from the service provider Sprint. USAC failed to consider which party was primarily responsible for the act or omission and any other culpability.

The FCC *In Re Federal-State Joint Board on Universal Service, 19 FCC RCD at par. 15* stated “We direct USAC to make the determination, in the first instance, to who recovery should be directed in individual cases. In determining to which party recovery should be directed, USAC shall consider which party was in a better position to prevent the statutory or rule violation, and which party committed the act or omission...”

Pursuant to section 54.719(c) of the Commission’s rules, any person aggrieved by the action taken by a division of the Administrator may seek review from the Commission. *FCC in In Re Federal-State Joint Board on Universal Service, 19 FCC RCD at par. 15*

CONCLUSION

The District is not responsible for any violations and there is no evidence of any waste, fraud or abuse. Furthermore, the District is in a very high poverty area and rescinding \$338,612.60 of funding already spent on the students would severely impact educational services currently provided to students and is contrary to the intent and goals of the Erate Program and therefore does not serve the public interest.

The Bishop Perry decision (offers a remedy for errors where “there is no evidence of waste, fraud or abuse, or misuse of funds.” Furthermore, under the Northeast Cellular Telephone Co. decision, the Commission may grant a waiver if special circumstance warrant a deviation from the general rule, and such deviation would better serve the public interest, than strict adherence to the general rule.

Considering the gravity and severe economic and negative educational impact of a COMAD on the economically disadvantaged district we respectfully request that FCC grant our appeal and the COMAD be reversed since District did not violate any program requirements or equity would dictate program rule should be waived.

This District is an innocent party, is not responsible for any violations and relied to its detriment on USAC, SPRINT and MiCTA, therefore in the event there were any improper actions, USAC should direct any recovery efforts against other third parties that were primarily responsible for any act or culpability.

Respectfully Submitted this 7th day of November, 2016

Signature:

Karen Marshall

Karen Marshall
Director of Technology
Dolton School District 148
114 West 144th Street
Riverdale, IL 60827

Clifford Friedman

Submitted by,
Clifford Friedman
Erate Contact
Erate Compliance
info@eratecompliance.com
917-374-6505

CERTIFICATE OF SERVICE

This is to certify that on November 7, 2016, a true and correct copy of the foregoing Appeal for Request and Review and/or Waiver and other relieve FCC deems appropriate was sent via email to:

Schools and Libraries Program, Universal Service Administrative Company at:

Appeals@sl.universalservice.org



Clifford Friedman

Erate Contact

info@eratecompliance.com

917-374-6505

EXHIBIT #1



Schools and Libraries Program

Notification of Commitment Adjustment Letter

Funding Year 2012: July 1, 2012 - June 30, 2013

June 20, 2016

Clifford Friedman
DOLTON SCHOOL DISTRICT 148
14 Bond Street - Suite 200
Great Neck, NY 11021

| | |
|----------------------------------|-----------------------|
| Re: Form 471 Application Number: | 866245 |
| Funding Year: | 2012 |
| Applicant's Form Identifier: | 12-D148-P1 |
| Billed Entity Number: | 135781 |
| FCC Registration Number: | 0011845336 |
| SPIN: | 143006742 |
| Service Provider Name: | Sprint Spectrum, L.P. |
| Service Provider Contact Person: | Christina Halley |

Our routine review of Schools and Libraries Program (SLP) funding commitments has revealed certain applications where funds were committed in violation of SLP rules.

In order to be sure that no funds are used in violation of SLP rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see <https://www.fcc.gov/encyclopedia/red-light-frequently-asked-questions>.

TO APPEAL THIS DECISION:

If you wish to appeal the Commitment Adjustment Decision indicated in this letter to USAC, your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Number(s) (FRNs) you are appealing. Your letter of appeal must include the
 - Billed Entity Name,
 - Form 471 Application Number,
 - Billed Entity Number, and
 - FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow USAC to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Program - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, see "Appeals" in the "Schools and Libraries" section of the USAC website.

FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. See the "Guide to USAC Letters" posted at <http://www.usac.org/sl/tools/samples.aspx> for more information on each of the fields in the Report. USAC is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on the FRN(s), a separate letter will be sent to the service provider detailing the necessary service provider action.

Note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Review the Funding Commitment Adjustment Explanation in the attached Report for an explanation of the reduction to the commitment(s). Please ensure that any invoices that you or your service provider(s) submits to USAC are consistent with SLP rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Program
Universal Services Administrative Company

cc: Christina Halley
Sprint Spectrum, L.P.

Funding Commitment Adjustment Report for
Form 471 Application Number: 866245

Funding Request Number: 2360749
Services Ordered: INTERNET ACCESS
SPIN: 143006742
Service Provider Name: Sprint Spectrum, L.P.
Contract Number: BSG1001-0053r4
Billing Account Number:
Site Identifier: 135781
Original Funding Commitment: \$611,708.76
Commitment Adjustment Amount: \$611,708.76
Adjusted Funding Commitment: \$0.00
Funds Disbursed to Date \$338,612.60
Funds to be Recovered from Applicant: \$338,612.60
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. The billed entity(ies) in Block 4 of the FCC Form 471 were not listed in Block 4 of FCC Form 470 #526520000796986 that established the competitive bidding process for the FCC Form 471. The applicant became a member of the MiCTA Consortium on 3/16/2012 which is after MiCTA 470 posting date of (1/4/2010). The billed entity is DOLTON SCHOOL DISTRICT 148 #135781. Program rules require that the billed entity filing a FCC Form 471 application also be identified on the establishing FCC Form 470 in order to ensure that potential bidders were aware of the scope of work being requested. Since this requirement was not met, this is a violation of the competitive bidding rules. The commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

Clifford Friedman
DOLTON SCHOOL DISTRICT 148
998C Old Country Road
Suite 181
Plainview, NY 11803

From: Howell, Josh [BMG] [mailto:Josh.Howell@sprint.com]
Sent: Tuesday, March 13, 2012 10:14 AM
To: Marshall, Karen
Subject: FYI: Sprint

Karen:

Thank you for taking the time to meet this morning. As a follow-up to our discussion, I've attached several aids relating to MiCTA as well as the enrollment process below. The account team will be in touch in the coming days to discuss.

The MiCTA Enrollment process is as follows:

-
1. Visit www.mictatech.org
 2. Click on the "Members" tab
 3. Click "Join MiCTA"
 4. Complete on-line form
 5. In the payment section, check the 1st year free option
 6. Once complete, MiCTA will send new member a welcome letter with Membership Number
 7. Complete, sign and forward the attached MiCTA enrollment form to Sprint
-

Please advise of any questions and I look forward to speaking with you soon.

Ps: please do not share outside Donlton SD 148

Regards,

Josh Howell | Account Manager - Public Sector |
Sprint Nextel Communications | Higher Education and K-12 |
1901 N Roselle Rd | Suite 500 | Schaumburg, IL | 60195 |
(847) 343-0397 :Cell | (877) 439-5602 :Fax

This e-mail may contain Sprint Nextel proprietary information intended for the sole use of the recipient(s). Any use by others is prohibited. If you are not the intended recipient, please contact the sender and delete all copies of the message.

- MiCTA_Notebook_and_Tablet_Pricing_2_2012.pptx (332 KB)
- MiCTA_Entire_MSA_Enrollment_Form.pdf (23 KB)

Sprint

Member 471 Block 5 Information

- 12. Form 470 Application Number
 - Priority 1- 526520000796986
- 15b Contract Number
 - BSG1001-0053r4

Sprint

471 Block 5 Cont.

- 15c Funding Request Under a Third Party MSA
 - Check the box
- 17 Allowable Vendor Selection/Contract Date
 - 2/1/2010
- 18 Contract Award Date
 - Date member signs the MiCTA/Sprint Member Participation Agreement Form C-2

Sprint

Member 471 Block 5 Cont.

- 19 Service Start Date
 - July 1 of Funding Year
- 20a Service End Date
 - June 30 of Following Year
- 20b Contract Expiration Date
 - August 31, 2014
- 21 Description of Services Requested
 - Must be Filed Before the Close of 471 Filing Window
- 22 Entities Receiving these services
 - a. Site Specific/Single Entity Listed on Block 4
 - b. Shared by All/ Multiple Entities listed on Block 4

AFFIDAVIT OF GARY GREEN

STATE OF MICHIGAN)
)SS
 COUNTY OF Emmet)

1. My name is Gary Green. I serve as an E-Rate consultant to MiCTA, a national association made up of colleges, universities, K-12 school systems, federal, state and local government units, health care providers, libraries and non-profit entities. MiCTA adds new members virtually monthly.
2. It has come to my attention that the Universal Service Administrative Company ("USAC") has recently either denied requests for funding or sought to recover previously committed funds from certain MiCTA member schools based on the statement that "Program rules require that the billed entity filing a FCC Form 471 application also be identified on the establishing FCC Form 470 in order to ensure that potential bidders were aware of the scope of work being requested." Emphasis added. However, no citation to any such rule was indicated. I was aware that when filing a FCC Form 470 the area codes and exchanges of members and potential members must be identified, and I believe that the schools now being denied were so identified in MiCTA's FCC 470 as discussed below. Consequently, these schools should not have been denied funding nor should committed funding be recovered because MiCTA followed precisely the procedures USAC instructed MiCTA to follow.
3. MiCTA filed its National Form 470 on January 4th, 2010. One of the instructions for filing a Form 470 was to list all of the area codes and exchanges for all of the K-12/libraries who were members before the Form was to be filed. The instructions stated that this was required so that all interested vendors would know the scope of the potential sales that would be an outcome of the bid and therefore determine if they would respond.
4. The Form 470 only allowed for 50 area codes and respective exchanges to be posted. It was not a Form that was created to accommodate a filing by a national organization the size of MiCTA. In an attempt to list all of MiCTA's related member area codes, approximately 157 at the time, I called USAC and explained the situation.
5. After the USAC Agent asked several questions regarding MiCTA and we discussed the fact that MiCTA's K-12/library membership typically grew monthly she stated she would have to speak to someone in IT and see what they could do about revising the Form to accommodate MiCTA's national scope.
6. In a few minutes she returned and stated that IT was unable to change the Form. I asked how was I going to be able to file for our members if the Form could not be changed and she said she would talk with someone else and put me on hold. It became obvious to me that in the 11 years the program had been in existence USAC had never been confronted with this issue.
7. The agent returned and stated that given the circumstances I should go ahead and file the Form as is, print out the NPA's/NXX's for current and potential participants, and keep them with

the other Form 470 documents in case of an audit. I followed those instructions and to this day all of the NPA's/NXX's are kept in binders at the MiCTA offices. The agent also stated I should make sure that a K-12 school that is going to use the MiCTA 470 is a member before they file their 471. That practice has been followed as we were instructed to do.

8. Over the years several USAC PIA reviewers have sent members names to MiCTA to confirm that the particular school was a MiCTA member and when they joined. On several occasions it was found that a particular school was not a member before they filed their Form 471 and I was informed that they were therefore being denied.

9. At about the same time MiCTA had been filing multiple times with the FCC to change certain rules of the Rural Health Care Program. One of the rule changes was to allow eligible healthcare providers to file for funding without having to bid by using MiCTA competitively bid contracts awarded through the E-Rate process, as long as they demonstrated they were MiCTA members as was being done in the E-Rate Program for K-12 schools and libraries.

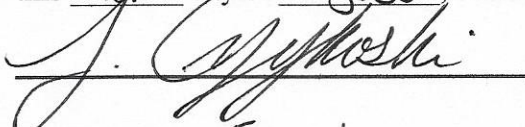
10. On December 12, 2012, the FCC issued Order 12-150 creating the Healthcare Connect Fund. In the Order the FCC created the E-Rate Exemption. The Commission stated that they agreed with MiCTA and would allow HCP's to use the MiCTA E-Rate Contracts "as long as they could demonstrate the applicant is eligible to take services under the Consortium Contract and the Consortium Contract was approved as a Master contract in the E-Rate Program."

11. In conclusion, schools should not be denied funding or committed funding recovered when MiCTA has followed precisely the instructions given by USAC.

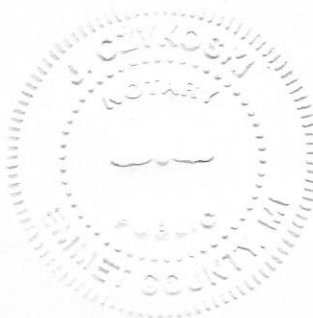
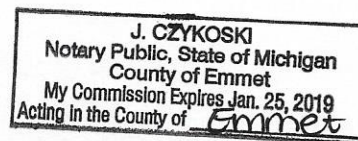
FURTHER DEPONENT SAYETH NOT.


Gary Green

Subscribed and sworn to before me
this 12th day of August, 2016.


Notary of Emmet Co., MI

a/i Emmet Co., MI
My Commission Expires: 01-25-2019





Schools and Libraries Division

Jun 13, 2012

Clifford Friedman
 DOLTON SCHOOL DISTRICT 148
 Telephone:
 Application Number

(917) 3746505
 866245

Response Due Date: June 28, 2012

The Program Integrity Assurance (PIA) team is in the process of reviewing all Funding Year 2012 FCC Form 471 Applications to ensure that they are in compliance with the rules of the Universal Service program. We are currently in the process of reviewing your Funding Year 2012 FCC Form 471 Application. To complete our review, we need some additional information. The information needed to complete the review is listed below.

I. Based on the review of your Funding Year 2012 FCC Form 471 application 866245, for FRN(s) 2360749, the documentation you provided in your Item 21 Attachments is not sufficient to determine the eligibility of your request. The documentation does not clearly identify the products or services being requested in this FRN. Please provide more detailed documentation, such as a bill, contract, or quote that identifies the actual products and services being requested. Your documentation should identify the specific products and services such as make, model, and description of the product or service being delivered. If you do not have this information, you will need to contact your vendor and request such documentation. The vendor should be able to provide you with detailed documentation regarding the products or services you are requesting.

Any documentation provided must be dated on or before the Funding Year 2012 FCC Form 471 application filing window deadline and should clearly identify all of the ineligible charges that were cost allocated out of your request. *If you are unable to justify the eligibility of charges requested on your FCC Form 471, the funding request may be reduced or denied.*

II. On your Funding Year 2012 FCC Form 471 application 866245, you indicated that FCC Form 470 # 526520000796986 is the FCC Form 470 that established the competitive bidding process for the service(s) requested in FRN 2360749. This FCC Form 470 does not list the billed entity that filed the above-referenced FCC Form 471. Program rules require that the billed entity filing a FCC Form 471 application be identified on the establishing FCC Form 470 in order to ensure that potential bidders were aware of the scope of work being requested. Please review and respond to the following questions:

1. Is the above-referenced FCC Form 470 # **526520000796986** the FCC Form 470 that established the competitive bidding process for the services requested on this FRN?
 _____ **Yes** or _____ **No**
 - a. **If No**, please provide the 15-digit FCC Form 470 Number that did establish the competitive bidding process for the FRN. The establishing FCC Form 470 is the

specific FCC Form 470, which was posted to the USAC website for that particular service for at least 28 days, and pursuant to which a contract was signed or an agreement was entered into with a service provider for that service. For a request in the Basic Maintenance of Internal Connections (BMIC) service category that was filed prior to May 1, 2005, it is possible that the establishing 470 was filed under the Internal Connections service category (prior to May 1, 2005 the BMIC service category did not exist on the FCC Form 470). Please note that the establishing FCC Form 470 could have been posted by the State, if the requested services are being purchased off of a State Master Contract. Please indicate if this is the case.

Establishing FCC Form 470 No.: _____

- b. **If Yes**, please provide a written explanation regarding the relationship between the Billed Entity in Block 1 of the FCC Form 470 and the entity that filed the above-referenced FCC Form 471. For example, the entity that filed the above-referenced FCC Form 471 may be a school located in the school district listed in Block 1 of the FCC Form 470.
2. Do you wish to add ***Dolton School District 148*** to Block 4 of the FCC Form 470 # identified in question #1 above? _____ **Yes or _____ No**
 - a. **If Yes**, and you **are** the authorized person on the FCC Form 470, please indicate so in writing. If the entries in Block 4, Item 15 of the FCC Form 470 change as a result of this addition, you must provide revised data for this field. Note that Item 15 can only be corrected as long as the correction is not a significant departure from the scope of the original request and the correction is due to clerical error. Please indicate whether a clerical error occurred when you completed your FCC Form 471. In your response, provide the corrected information and a detailed explanation how the error occurred
 - b. **If Yes** and you **are not** the authorized person on the FCC Form 470; please write a statement below signed by the authorized or contact person of that FCC Form 470 confirming their agreement to add the billed entity to Block 4 of their FCC Form 470. If the authorized person is no longer available, then this statement can come from their successor, as long as it is accompanied with an explanation of why there is a change in the authorized contact for the FCC Form 470. This statement should include both the written name and signature of the authorized person or contact person. If the entries in Item 15 change as a result of this addition, you must provide revised data for this field. Note that Item 15 can only be corrected as long as it is not a significant departure from the scope of the request and is due to clerical error. Please indicate whether a clerical error occurred when you completed your FCC Form 471. In your response, provide the corrected information and a detailed explanation how the error occurred
 - c. **If No**, please indicate so in writing.

Please fax or email the requested information to my attention. If you have any questions, or if you require a further explanation of this request, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review. **Failure to respond may result in a reduction or denial of funding. If you need additional time to prepare your response, please let me know as soon as possible.**

Should you wish to cancel your FCC Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the FCC Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Ivan Rushfield

Initial Reviewer – Program Integrity Assurance

30 Lanidex Plaza West | Parsippany, NJ 07054

Telephone: 973.581.5234 | Fax: 973.599.6522

Ivan.Rushfield@sl.universalservice.org

info@eratecompliance.com

6/22/2012 4:03 PM

PIA Response - Dolton Dist. 148 FY2012 471#866245

To Ivan Rushfield <ivan.rushfield@sl.universalservice.org>

This is in Response to PIA inquiry dated 6~13~12, regarding Dolton School District 148 (BEN 135781) FY2012 Form 471# 866245 for FRN 2360749 as follows:

Question#1

I. Based on the review of your Funding Year 2012 FCC Form 471 application **866245**, for FRN(s) **2360749**, the documentation you provided in your Item 21 Attachments is not sufficient to determine the eligibility of your request. The documentation does not clearly identify the products or services being requested in this FRN.

Please provide more detailed documentation, such as a bill, contract, or quote that identifies the actual products and services being requested.

Answer #1:

As per our discussion, attached is the Quote received from Sprint regarding the application # 866245 for FRN 2360749 (see attached quote).

Question #2:

II. On your Funding Year 2012 FCC Form 471 application **866245**, you indicated that FCC Form 470 # **526520000796986** is the FCC Form 470 that established the competitive bidding process for the service(s) requested in FRN **2360749**. This FCC Form 470 does not list the billed entity that filed the above-referenced FCC Form 471. Program rules require that the billed entity filing a FCC Form 471 application be identified on the establishing FCC Form 470 in order to ensure that potential bidders were aware of the scope of work being requested. Please review and respond to the following questions: 1. Is the above-referenced FCC Form 470 # **526520000796986** the FCC Form 470 that established the competitive bidding process for the services requested on this FRN? X **Yes** a. **If Yes**, please provide a written explanation regarding the relationship between the Billed Entity in Block 1 of the FCC Form 470 and the entity that filed the above-referenced FCC Form 471. For example, the entity that filed the above-referenced FCC Form 471 may be a school located in the school district listed in Block 1 of the FCC Form 470

Answer #2:

As per our discussion, this is the correct form 470 #526520000796986. District 148 is a Member of MiCTA (see attached MiCTA Membership Participation Enrollment Form). The Form 470, 471 and FRN are covered under the Master Service Agreement/State Master Contract.

If you have any further questions, need clarification or additional documentation, please contact me at your earliest convenience and it will be provided.

Please confirm receipt.

Thank you for your time and consideration.

Sincerely,

Clifford Friedman, Esq.
ERate Compliance
Phone: 917-374-6505
E-mail: Info@ErateCompliance.com

- D148 MiCTA Enrollment & Sprint Quote.pdf (2 MB)

Attachment C-2

MiCTA Member Participation Enrollment Form

This MiCTA Member Participation Enrollment Agreement ("Enrollment Agreement") is entered into between Sprint Solutions, Inc. ("Sprint") and Dalton School District 148, ("Customer") as a Member under Master Service Agreement between MiCTA and Sprint signed by MiCTA on May 27, 2010 and by Sprint on June 7, 2010 and numbered **MiCTA No. 119EN-TISA2010-0512; Sprint No. BSG1001-0053r4** ("Agreement"), as amended.

Sprint and Customer agree as follows:

- 1. Relationship of Parties.** By signing this Enrollment Agreement, Customer represents that it is an Member as defined in the Agreement. Upon execution of the Enrollment Agreement by Customer, Customer will be eligible to submit orders ("Order") for the Products and/or Services set forth in the Agreement.
- 2. Terms and Conditions.** By signing this Enrollment Agreement, Customer agrees to be bound by the terms and conditions set forth in the Attachments to the Agreement, including the Member Participation Agreement - Attachment C.
- 3. Purchasing of Services and/or Products.** By signing the Enrollment Agreement, Customer and Sprint acknowledge that it is not a commitment to purchase Services and/or Products from Sprint. The Customer acknowledges this Enrollment Agreement enables the opportunity to establish a separate billing account(s) under this Enrollment Agreement and to allow individual employees to purchase Sprint Products and/or Services. The terms and conditions related to employees are referred to in Attachment A-1 of the Agreement and any applicable amendments.

- 4. Customer Information.** The following is the relevant Customer contact information:

Customer Name: Dalton School District 148
Billing Address: 114 W 144th St
Riverdale, IL 60827
Phone Number: 708-841-2445
Fax Number: 708-841-5627
Billing Contact: Terry LaBella
TAX ID number: E49997-7737-06
MiCTAMembership Number (REQUIRED): MTK-60827-01

- 5.** Customer acknowledges that the special pricing and benefits offered under this Enrollment Agreement are given in recognition of Customer being eligible under the MiCTA Program. Customer further acknowledges that termination of its MiCTA membership, or other basis for eligibility, may result in termination of this Enrollment Agreement.
- 6.** In order to become effective, this Enrollment Agreement must be executed by a duly authorized representative of Customer and delivered to Sprint no later than 30 days after signing. Upon Customer's execution of this Enrollment Agreement, it shall be deemed accepted by Sprint without counter-signature; provided that, Customer does not make any modifications, interlineations, addition, supplement and/or other change(s) ("Changes") to this Enrollment Agreement. Any Changes to this Enrollment Agreement by Customer shall render this Enrollment Agreement null and void.

Dalton School District 148
Customer Name

Karen Marshall

Signed By

Name: Karen Marshall
(Print or Type)

Title: Director of Technology

Date: 3/16/2012



Sprint

| | |
|-------------------|----------------------------|
| 470 Application # | 136060001027572 |
| Spin Number | 143006742 |
| School Name | DOLTON SCHOOL DISTRICT 148 |
| Phone Number | 708-841-2445 |
| Main Address | 114 W 144TH ST |
| City | RIVERDALE |
| State | IL |
| Zip Code | 60827 |
| BAN/Account # | New |
| Quote Date | 03/16/2012 |
| Contact Name | Karen Marshall |
| Contact Email | info@eratecompliance.com |
| Contract Name | MICTA |
| Contract Number | 8SG1001-0053R4 |
| State Discount % | 24% |
| Term | Month to Month |
| Funding Year | 2012-2013 |

Sprint Nextel E-Rate Wireless Service Quote

| Price Plan | Access Charge [2] | # of Units | Monthly Charge | Estimated E-rate Subsidy Discount | Estimated Applicant Payment After Subsidy |
|---|-------------------|------------|------------------------|-----------------------------------|---|
| Data Plans | | | | | |
| 3G/4G Wireless Internet Connection for Notebook Computers | \$54.99 | 1000 | \$54,990.00 | 90% [1] (\$49,491.00) | \$5,499.00 |
| 911 / State Taxes | | | \$1,849.70 | (\$1,484.73) | \$164.97 |
| Federal USF | | | \$0.00 | \$0.00 | \$0.00 |
| | | | Total Per Month | \$56,639.70 | (\$50,975.73) |
| | | | Total Per Year | \$679,678.40 | \$5,663.97 |
| Estimated Total Per Year After E-Rate Subsidy | | | | | \$67,967.64 |

Customer Signature: _____ Date: _____

Service Provider Signature: _____ Date: _____

The Agreement is effective as of the last date of signature noted above. The Term of the Agreement will begin ("Service Commencement Date") according to the following option selected by the Customer (if neither box checked, Option 1 is the default):

- Option 1: _____ Service will begin on July 1, 2012. Customer is requesting E-Rate support, but agrees that it will obtain Service and be liable for payment regardless of whether it receives E-Rate support.
- Option 2: _____ Service will begin only after Sprint has received a Funding Commitment Decision Letter awarding E-Rate funds to Customer, and in no case before July 1, 2012. Customer will be responsible for payment for Service throughout the Term and for any amounts not covered by the E-Rate program, regardless of the availability of E-Rate funding in future years.

[1] Visual Estimate ...based on current E-rate Subsidy - Sprint offers both SPI and 472 Reimbursement Options

[1] The estimated E-rate Subsidy Discount and Estimated Applicant Payment After Subsidy are estimates based on information available to Sprint at the time this quote was prepared, including (but not limited to) prior year data for subsidy discounts and payments. Customer eligibility and final E-Rate Subsidy discounts and funding amounts are determined by USAC, not Sprint. Sprint is not responsible for Customer's compliance with FCC, USAC or Other Funding Source rules and regulations, Customer's applications for Support, or any decisions or actions by the FCC, USAC or Other Funding Sources with respect to Customer.

[1] Subsidy percentage is subject to change and dependent on funding release by USAC.

[1] Invoices will not reflect subsidy discount unless: (i) applicant selects direct discounting; (ii) funding is certified; and (iii) funding is released to applicant.

[2] The pricing for select Voice and Data bundles will be cost allocated during Sprint's eligibility calculation to exclude all ineligible E-rate features prior to E-rate Reimbursement Claim.

CANCEL

**Schools and Libraries Service Program
Services Ordered and Certification Form 471
Application Status Display**

**Billed Entity Number: Funding Year: 2012
135781**

For an explanation of your Application Status, please scroll down to the Explanation table below.

| Form 471 Application Number | Applicant Form Identifier | Application Status |
|------------------------------------|----------------------------------|-----------------------------|
| 866245 | 12-D148-P1 | FCDL Issued - 07/11/2012 |
| 866047 | 12-D148 BM | FCDL Issued - 02/12/2013 |

| Application Status | Explanation |
|---------------------------------|--|
| Canceled | Your Form 471 has been canceled. No further action will be taken on this form. |
| Incomplete | Block 1 of your Form 471 has been successfully data entered. However, no further action will be taken on this form until it is completed and certified (whether online or on paper) and moves to Certified - In Window status. |
| Complete | THIS STATUS IS FOR ONLINE FILERS ONLY: You have clicked the "Submit" button to file your Form 471, but the Block 6 certification process (whether online or on paper) has not been completed. |
| Certified - In Window | Your Form 471 was successfully certified within the filing window for the Funding Year and is awaiting assignment for Initial Review. |
| Certified - Out of Window | Your Form 471 was certified outside of the filing window for the Funding Year. |
| Initial Review | Your Form 471 has been assigned for Initial Review and is being reviewed by Program Integrity Assurance (PIA) for compliance with program rules. All applications must receive both an Initial Review and a Final Review. NOTE: Your Form 471 may return to Initial Review status at any time before a Funding Commitment Decision Letter is issued. |
| Available for Final Review | Your Form 471 review has completed Initial Review and is awaiting assignment for Final Review. All applications must complete both an Initial Review and a Final Review. |
| Final Review | Your Form 471 has been assigned for Final Review. All applications must receive both an Initial Review and a Final Review. NOTE: Your Form 471 may return to Final Review status at any time before a Funding Commitment Decision Letter is issued. |
| Available for Quality Assurance | Your Form 471 has completed Final Review. Your Form 471 may be assigned for Quality Assurance Review. Quality Assurance Review verifies that the Initial Review and Final Review procedures were properly performed. |
| Quality Assurance 1 | Your Form 471 has been assigned for a first-level Quality Assurance Review. Quality Assurance Review verifies that the Initial Review and Final Review procedures were properly performed. |
| | |

| | |
|--|--|
| Quality Assurance 2 | Your Form 471 has been assigned for a second-level Quality Assurance Review. Quality Assurance Review verifies that the Initial Review and Final Review procedures were properly performed. |
| Unable to Contact | Your Form 471 is on hold because PIA was unable to reach the Form 471 contact person. If you wish to have PIA re-contact you regarding your pending application, contact your PIA reviewer. If you donâ€™t know who your reviewer is, contact our Client Service Bureau at 1-888-203-8100. |
| Held for further review and other verification | Your Form 471 is on hold because we need to verify additional information. Once we have obtained the information for verification, we will continue to process your Form 471. |
| Awaiting Applicant Documentation | We have requested information or documentation and you have not responded to our latest inquiry. Please review our questions and provide the necessary information. Once we have obtained the necessary information, we will continue to process your Form 471. |
| Deferred | Your Form 471 is on hold. You were unavailable or you requested that PIA defer the Form 471 review during either our Summer or Winter deferral period. If you wish PIA to remove the hold and continue review, contact your PIA reviewer. If you donâ€™t know who your reviewer is, contact our Client Service Bureau at 1-888-203-8100. |
| FCDL Issued - 'xx/xx/xxxx' | We have issued a Funding Commitment Decision Letter (FCDL) on the date indicated that references one or more Funding Requests from this Form 471. If more than one FCDL has been issued, the date indicated is the date of the most recent FCDL. |

Previous

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